

RECEIVED 27 JAN 2005

Please type a plus sign (+) inside this box +

PTO/SB/21 (08-003)

Approved for use through 07/31/2008. OMB 0651-0231  
Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.**TRANSMITTAL  
FORM**

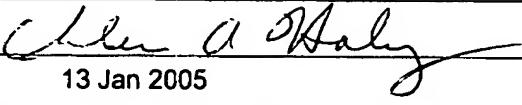
(to be used for all correspondence after initial filing)

	Application Number	10/615,460
	Filing Date	7/02/2003
	First Named Inventor	LINDSAY, GEOFFREY, et al
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	18	Attorney Docket Number

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing - related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interference's
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits / declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(Please identify below)</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Petition to Withdrawn the Holding of Abandonment (w/ attachments)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	1. Postcard 2. Certified Return Receipt
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks 3. Transmittal form 5. Recordation Form Coversheet 7. Power of Attorney/Declaration 9. Copy of Certificate of Mailing 11. Certificate of Transmission	4. Fee Transmittal 6. Copy of Assignment 8. Notice to File Missing Parts of 10/10/03 10. Notice of Abandonment of 11/26/04
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	Charlene A. Haley	52,983
Signature		
Date	13 Jan 2005	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Services with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or Printed Name	Val Hall, Legal Assistant		
Signature		Date	13 Jan 2005

This collection of information is required by 37 CFR 1.53(b). The information is required or obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-776-0100) and select option 2.

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PTO/SB/21 (08-00)  
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## TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

		Application Number	10/615,460
		Filing Date	7/02/2003
		First Named Inventor	LINDSAY, GEOFFREY, et al
		Group Art Unit	
		Examiner Name	
Total Number of Pages In This Submission	13	Attorney Docket Number	84887

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB/17)	<input checked="" type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interference's
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing - related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input checked="" type="checkbox"/> Affidavits / declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) <i>(Please Identify below)</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<b>Recordation Form Coversheet Notice to File Missing Parts of Nonprovisional Application Post Card</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

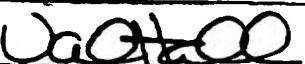
### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Charlene A. Haley	52,983
		
Date		

### Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:

30 Oct 2003

Typed or Printed Name	Val Hall, Legal Assistant		
Signature		Date	10/30/03

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioners for Patents, Washington, DC 20231

Please type a plus sign (+) inside this box 

Under the F

ork Reduction Act of 1995, no persons are required to respond to a co.

U.S. I

and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Information contained herein is not a matter of public record unless it contains a valid OMB control number.

PTO/SB/17 (01-03)

# FEE TRANSMITTAL FOR FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$940.00

## Complete if known

Application Number	10/615,460
Filing Date	7/02/2003
First Named Inventor	LINDSAY, GEOFFREY, et al
Examiner Name	
Art Unit	
Attorney Docket No.	84887

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account

50-0931

Deposit Account Number

Deposit Account Name

NAWCWD - Pt Mugu/ China Lake

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments
- Charge any additional fee(s) during the pendency of this application
- Charge (s) indicated below, except for the filing fee to the above - identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	\$770.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					\$770.00

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims	Fee from below
Total Claims	-20** = <input type="text"/> X <input type="text"/> = <input type="text"/>
Independent Claims	-3** = <input type="text"/> X <input type="text"/> = <input type="text"/>
Multiple Dependent	<input type="text"/> = <input type="text"/>

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	16	2202	8	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				

\*\* or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	\$130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	65	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	\$40.00
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(e))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129 (b))	
1801	750	2601	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$170.00

(Complete if applicable)

Name (Print/Type)	Charlene A. Haley	Registration No. (Attorney / Agent)	52,983	Telephone	(760) 939-4177	
Signature					Date	30 Oct 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. Information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application Form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and / or suggestions for reducing this burden, should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, U. S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Navy Case: 84887  
Serial No: 10/615,460  
Applicant: LINDSEY, et al

date mailed: 10/30/03 CH:vh

Receipt of the following application papers is evidenced hereon by official stamp of the  
U. S. Patent and Trademark Office:

Transmittal Form (orig&copy)	2pp
Fee Transmittal Form (orig&copy)	2pp
Recordation Form (orig&copy)	2 pp
Assignment (orig & copy)	2 pp
Declaration & POA (orig&copy)	2pp
Notice to File Missing parts of NonProvisional Application (orig)	2pp
Certificate of Mailing (orig)	1pp
Post Card	

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<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> I completely understand how to complete item 4. I estimate delivery will be insured.</li> <li><input checked="" type="checkbox"/> Print your name and address on the reverse side of each mailing label to you.</li> <li><input checked="" type="checkbox"/> Sign my name on the back of the mailpiece or on the front if space permits.</li> <li><input checked="" type="checkbox"/> Article addressed to:</li> </ul>		<p>A. Signature:</p> <p><b>U.S. PATENT &amp; TRADEMARK OFFICE</b></p> <p>B. Name of Addressee (Printed Name) _____</p> <p>C. Date of Delivery _____</p> <p>D. Delivery Address (Type or Print)</p> <p>E. Postal Authority Address (Type or Print)</p> <p><b>U.S. POSTAL SERVICE</b></p> <p>F. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>G. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>H. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>I. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>J. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>K. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>L. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>M. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>N. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>O. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>P. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>Q. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>R. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>S. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>T. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>U. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>V. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>W. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>X. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>Y. Signature:</p> <p><b>U.S. MAIL CENTER</b></p> <p>Z. Signature:</p> <p><b>U.S. MAIL CENTER</b></p>	
<p>1. Article Number: Transfer from stamp</p> <p>7003 1680 0005 6103 6701</p>		<p>1. Registered Mail <input type="checkbox"/> Express Mail <input type="checkbox"/></p> <p>2. Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/></p> <p>3. Insured Mail <input type="checkbox"/> COD <input type="checkbox"/></p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/></p>	
PS Form 08-11, August 2001		Domestic Return Receipt	
NC 84681 OH WA		10259-02 M 1540	

Navy Case No. 84887  
Application Serial No. 10/615,460

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Lindsay, et al

Docket No. : 84887

Serial No. : 10/615,460

Filed : 07/02/2003

For : ELECTRO-OPTIC POLYMERS WITH TUNABLE  
REFRACTIVE INDEX FOR OPTICAL WAVEGUIDES

Assistant Commissioner of Patents and Trademarks  
Washington, DC 20231

Fascimile: (703) 308-7751

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT UNDER 37  
C.F.R. 1.181(a)

Sir,

This petition is in response to a Notice of Abandonment mailed November 26, 2004 and was faxed to OIPE Customer Service (703) 308-7751 on January 13, 2004. The Applicants set forth the basis for the Petition to Withdraw the Holding of Abandonment under 37 C.F.R. 1.181(a). This Petition is submitted with the response to the above-identified office action.

**STATEMENT OF FACTS**

The Applicants received a Notice to File Missing Parts of Non-provisional Application dated October 01, 2003, which was indicated that the basic filing fee and declarations were missing. Applicants prepared and sent its response to the Notice on October 30, 2003, which included the fee, fee transmittal form, executed declarations and assignment documents, power of attorney, notice of missing parts, post card, recordation

Navy Case No. 84887  
Application Serial No. 10/615,460

coversheet, and certificate of mailing. In addition, we sent the response through USPS by certificate of mailing and received your USPTO mailing center stamp on it, but Applicants never received the post card back that was sent to you. So clearly your office is receiving the paperwork. Loosing our information that has been mailed to you has become an increasing problem at the USPTO mailing center over the last 3 years. Is someone doing anything to correct this?

Since a complete reply to the Notice was previously filed by Applicants within the time period set forth in the Notice, Applicants request reconsideration of the holding of abandonment under 37 C.F.R. 1.181(a). No petition fee is required. Applicants also request that the original filing date remain at July 2, 2003.

This petition is accompanied by a true copy of the originally filed documents and the items identified below:

#### **SUBMISSIONS**

- (1) A copy of the post card, since Applicants original was not sent back.
- (2) The Petition is accompanied by a copy of the USPS certificate of mailing which was stamped by the USPTO mailing center.
- (3) A copy of the Transmittal Form which includes the executed Certificate of Mailing.
- (4) A copy of the Fee Transmittal Form.
- (5) A copy of the Recordation Form Cover Sheet.
- (6) A copy of the executed Assignment Document.
- (7) A copy of the executed Power of Attorney/Declaration.
- (8) A copy of the Notice of Missing Parts dated October 10, 2003.
- (9) A copy of the Certificate of Mailing listing all of the above documents.

Navy Case No. 84887  
Application Serial No. 10/615,460

(10) A copy of this Petition To Withdraw The Holding Of Abandonment Under 37 C.F.R. 1.181(a).

(11) A copy of the Notice of Abandonment dated November 26, 2004.

**STATEMENT IN COMPLIANCE WITH 37 CFR 1.8(b).**

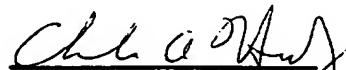
Charlene A. Haley, attorney for Applicants, attests on a personal knowledge basis to the previous timely mailing of the reply to the Notice of Missing Parts.

The Commissioner is authorized to charge any fees associated with filing of this Petition to Withdraw Holding of Abandonment under 37 C.F.R. § 1.181(a) to Deposit Account No. 50-0931.

Applicant invites the Examiner to call the undersigned if clarification is needed on any aspect of this response, or if the examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully,

Navy Case No. 84887  
NAWCWD  
Office of Counsel, Code K00000D  
1 Administration Circle, STOP 1009  
China Lake, CA 93555-6100  
Telephone: (760) 939-4177  
Facsimile: (760) 939-0679

  
CHARLENE A. HALEY  
Attorney for Applicants  
Registration No. 52,983

*Response Due: 1-26-05*



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/615,460	07/02/2003	Geoffrey Lindsay	84887

CONFIRMATION NO. 7958

ABANDONMENT/TERMINATION  
LETTER



\*OC000000014586276\*

23572  
NAVAIRWD  
COUNSEL GROUP (CODE K0000D)  
1 ADMINISTRATION CIRCLE  
CHINA LAKE, CA 93555-6100

Date Mailed: 11/26/2004

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/01/2003.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/615,460	07/02/2003	Geoffrey Lindsay	84887

CONFIRMATION NO. 7958

ABANDONMENT/TERMINATION  
LETTER

\*OC00000014586276\*

23572  
NAVAIRWD  
COUNSEL GROUP (CODE K0000D)  
1 ADMINISTRATION CIRCLE  
CHINA LAKE, CA 93555-6100

Date Mailed: 11/26/2004

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

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Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

*Teguest / wld/lj*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

## Notice of Abandonment

This application is abandoned in view of applicant's failure to timely file a proper reply to the Office notice mailed on 10-01-03.

### Petition to Withdraw the Holding of Abandonment

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503),
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be transmitted by facsimile directly to OIPE Customer Service at (703) 308-7751.

### Petition to Revive an Abandoned Application

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by:

1. an adequate showing of the cause of unavoidable delay;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(i); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by:

1. a statement that the entire delay was unintentional,
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(m); and
4. a terminal disclaimer if required by 37 CFR 1.137(d)

See MPEP § 711.03(c) and Form PTO/SB/64.

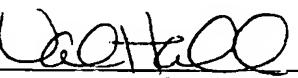
Any questions concerning petitions to revive should be directed to Office of Petitions at (703) 305-9282

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Notice to File Missing Parts of NonProvisional Application of 10/1/03 (2pp)

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